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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

BEHZOD A. NEJAD,
 Plaintiff,
 v.

Case No. 06-6954 MHP

ALBERTO GONZALES, Attorney General of the
 United States; MICHAEL CHERTOFF, Secretary
 of the United States Department of Homeland
 Security; EDUARDO AGUIRRE, Acting Director
 of the Bureau of Citizenship and Immigration
 Services; and DAVID STILL, Director of the San
 Francisco District Office of the Bureau of
 Citizenship and Immigration Services,
 Defendants.

**STIPULATION TO EXTEND
 DATE OF CASE MANAGEMENT
 CONFERENCE; AND ~~PROPOSED~~
 ORDER**

The plaintiff, by and through his attorney of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to approval of the Court, to extend the date of the case management conference based on the following:

- (1) The plaintiff is a native and citizen of Iran who was granted asylum by the United States Citizenship and Immigration Services (USCIS) on December 13, 1995.
- (2) The plaintiff filed an application for naturalization with USCIS on July 30, 2002.
- (3) On November 7, 2006, the plaintiff filed the instant complaint under 8 U.S.C. § 1447(b), which provides that if the USCIS has failed to make a determination on an individual's

1 application for naturalization within 120 days after the date on which the applicant is examined,
2 the applicant may apply to the United States District Court for a hearing on the matter, and the
3 District Court “may either determine the matter or remand the matter, with appropriate
4 instructions, to the Service to determine the matter.” 8 U.S.C. § 1447(b).

5 (4) On or about March 12, 2007, the USCIS issued a Notice of Intent to Terminate Asylum
6 Status, informing the plaintiff of the agency’s intent to terminate his asylum status based on
7 allegations of fraud and advising the plaintiff of his right to present evidence at a hearing to
8 establish that he is still eligible for asylum. A copy of that Notice is attached.

9 (5) The plaintiff’s hearing at USCIS is scheduled for April 12, 2007.

10 (6) The parties agree that this Court should place the instant case in abeyance pending a
11 decision by USCIS on whether to terminate the plaintiff’s asylee status because if USCIS
12 terminates the plaintiff’s asylee status, this case will be moot.

13 (7) USCIS intends to expeditiously issue a decision on whether to terminate the plaintiff’s
14 asylee status.

15 (8) The parties will promptly inform this Court when USCIS issues a decision on whether to
16 terminate the plaintiff’s asylee status and will then file a stipulation asking this Court to either
17 dismiss the case as moot or schedule a case management conference.

18
19 Dated: March 19, 2007

/s/
NEDA A. ZAMAN
Attorney for Plaintiff

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23
24 Dated March 19, 2007

/s/
EDWARD A. OLSEN
Assistant United States Attorney
Attorney for Defendants

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: March 20, 2007

MARILYN HALL
United States District Court

